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Attorneys for Defendants CITY OF OAKLAND, WAYNE G. TUCKER,
 and PATRICK GERRANS

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

<p>CYNTHIA LANGSTON,</p> <p>Plaintiff,</p> <p>vs.</p> <p>CITY OF OAKLAND, a municipal corporation; WAYNE G. TUCKER, in his capacity as Chief of Police for CITY OF OAKLAND; PATRICK GERRANS, individually, and in his capacity as a police officer for CITY OF OAKLAND; and, DOES 1-25, inclusive,</p> <p>Defendants.</p>	<p>Action No. 3:10-cv-01084-SI</p> <p>STIPULATION AND (PROPOSED) ORDER FOR EXTENSION OF TIME TO COMPLETE SETTLEMENT CONFERENCE</p> <p>Date: Time: Location:</p> <p>Honorable Susan Illston</p>
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STIPULATION

1 All parties to this action stipulate and agree, by and through their respective counsel, as
2 follows:

3 1. Per the Order issued on 1-6-11 by Magistrate Judge Laurel Beeler, regarding the
4 Settlement Conference presently scheduled for 1-21-11 at 9:30 a.m., this Stipulation and
5 Proposed Order will demonstrate in paragraphs 5-9 herein, a compelling reason for the
6 continuance of deadline by which to complete Settlement Conference from 1-31-11 to
7 approximately forty-five (45) to sixty (60) days thereafter (from approximately 3-5-11 to 3-
8 31-11);

9 2. Additionally, per Magistrate Judge Laurel Beeler's Order, asks for a continuance of the
10 deadline by which to complete Settlement Conference, from 1-31-11 to approximately forty-
11 five (45) to sixty (60) days thereafter (from approximately 3-5-11 to 3-31-11), this Stipulation
12 and Proposed Order is directed to trial Judge Susan Illston;

13 3. Additionally, per Magistrate Judge Laurel Beeler's Order, this Stipulation and
14 Proposed Order, plaintiff and defendants are listing three (3) alternative dates agreed to by
15 plaintiff and defendants, after reviewing the Court's publically available calendar:
16 <http://www.cand.uscourts.gov/CAND/Calendar.nsf>. The Court calendar reviewed for
17 Magistrate Judge Laurel Beeler goes as far as 2-25-11. Since the parties are asking for a
18 continuance of the deadline by which to complete Settlement Conference, from 1-31-11 to
19 approximately forty-five (45) to sixty (60) days thereafter (from approximately 3-5-11 to 3-
20 31-11), this Court calendar does not provide options for that time period. Therefore, the
21 parties lest the following three (3) alternative dates for Settlement Conference: (A) 3-15-
22 11; (B) 3-16-11; and, (C) 3-18-11;

23 4. Finally, as per Magistrate Judge Laurel Beeler's Order, plaintiff and defendants
24 acknowledge that unless the Court sets a different date for Settlement Conference, the parties
25 must appear on the already calendared date of 1-21-11 at 9:30 a.m.;

1 5. Plaintiff and defendants entered into a Stipulation and Proposed Order giving leave to
2 plaintiff to file and serve First Amended Complaint, naming defendant officer PATRICK
3 GERRANS;

4 6. Plaintiff has not yet been able to locate defendant PATRICK GERRANS, and so has
5 not been able to serve process on this defendant. Defendants inadvertently and erroneously
6 filed and Answer on defendant PATRICK GERRANS' behalf;

7 7. Plaintiff has not yet served written discovery on defendant CITY OF OAKLAND
8 ("CITY"). Plaintiff will serve written discovery on defendant CITY by 1-17-11, which will,
9 of course, not be responded to until at least 33 days after service of said written discovery,
10 which will make defendants' written responses to plaintiff due on 2-20-11;

11 8. Defendants have served written discovery on plaintiff. Plaintiff's Responses to
12 defendant's written discovery is due on 1-11-11;

13 9. Counsel have not yet conducted any depositions in this case. However, defendants
14 have scheduled plaintiff's deposition for 1-18-11 at 10:00 a.m.;

15 10. The parties cannot conduct a meaningful Settlement Conference until defendant
16 officer PATRICK GERRANS has been served process; and preliminary written discovery
17 Responses and depositions have been completed; and,

18 11. Therefore, the parties request that this Court extend the time for completion of
19 Settlement Conference from the presently scheduled date for completion, from 1-31-11 to
20 approximately forty-five (45) to sixty (60) days thereafter (from approximately 3-5-11 to 3-
21 31-11).

22 Respectfully submitted,

23 LAW OFFICES OF GAYLA B. LIBET

24 Dated: January 14, 2011

25 By: /s/
26 GAYLA B. LIBET, Esq.
27 Attorneys for Plaintiff

LAW OFFICES OF JOHN L. BURRIS

Dated: January 14, 2011

By: /s/_____
JOHN L. BURRIS, Esq.
Attorneys for Plaintiff

OAKLAND CITY ATTORNEY'S
OFFICE

Dated: January 14, 2011

By: /s/_____
ARLENE M. ROSEN, Esq.
Attorneys for Defendants

ATTORNEY ATTESTATION

I hereby attest that I have on file all holograph signatures for any signatures indicated by a conformed signature, indicated as “/s/ ” within this E-filed document.

Dated: January 14, 2011

By: /s/_____
GAYLA B. LIBET, Esq.

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _____



HONORABLE SUSAN ILLSTON
United States District Court Judge